

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In Re
AMARJIT KAUR SINGH

Debtor

AFFIDAVIT IN SUPPORT
Case No. 08-47147
Chapter 7

STATE OF NEW YORK)
COUNTY OF QUEENS) SS:

AMARJIT KAUR SINGH, being duly sworn and under penalties of perjury deposes and says:

1. I am the debtor in the above entitled bankruptcy proceeding, and as such, I am familiar with the facts and circumstances in this case.
2. I make this affidavit in support of the instant motion that seeks to continue the automatic stay as to all creditors beyond thirty (30) days from the date I filed my petition.
3. I filed my Chapter 7 Bankruptcy petition on October 24, 2008.
4. The First date set for the meeting of the creditors under 11 U.S.C. 341 is November 24, 2008 at 1:30 P.M and the Court has not fixed a latter date for performance by me of the obligations described at 11 U.S.C. 521 (a) (2).
5. Pursuant to 11 U.S.C. Section 362 (c), the filing of bankruptcy petition only imposes the automatic stay for thirty (30) days after I filed by bankruptcy petition, since I filed a Chapter 13 bankruptcy petition within the last year.
6. On March 13, 2008, I filed a Chapter 13 bankruptcy petition bearing case number 08-41434 in order to pay my missed mortgage payments over a five (5) year period.
7. When I filed the Chapter 13 Bankruptcy Petition, I did not retain counsel to represent me.
8. I thought I could afford monthly plan payments, but I lost my job because I was unable to relocate to India. My new job pays much less.
9. On October 15, 2008, the Chapter 13 Bankruptcy was dismissed.

10. Presently, I have retained counsel to assist me in the filing of a Chapter 7 Bankruptcy Petition.
11. My primary residence is a two (2) family home. My address is 8753 133rd Street, Richmond Hill, NY 11418.
12. The current fair market value is about \$666,000 before "cost of sale".
13. Though I have not been able to get clear amounts from Option One Mortgage company, the secured claim is approximately \$580,000.
14. After cost of sale there is approximately \$46,000.00 of equity in my home.
15. The property at 8753 133rd Street is of consequential value or benefit to the estate because the fair market value of the property is greater than all liens on the property as shown above.
16. My intention is to work something out with my mortgage company, or to sell my home.
17. The extension of an automatic stay is necessary, since the home is my primary residence.
18. The presumption of bad faith filing under 11 U.S.C. 362 (c) (3) (c) (i) is overcome in this case as to all creditors because a substantial change in my financial and personal affairs has occurred.
19. My husband was forced to change his profession because he could not find contracting work. Presently, he is making only \$2,816.00 a month as a taxi driver.
20. My previous employer requested I move to India and work there for several months. I was not in a position to move, so I was forced to leave.
21. I found a job as a Tailor with Mikael Aghal. My gross income is \$3,250 a month which is less than my previous job.
22. Pursuant to 11 U.S.C. 362(c) (3) the stay should be continued because the present case was filed in good faith notwithstanding that a prior Chapter 13 case was filed which was pending within the year preceding the petition date and was dismissed.
23. As a result of the foregoing, I submit to this Honorable Court that this case was filed in good faith and no creditors will be prejudiced if the automatic stay is continued beyond the thirty (30) day period.

WHEREFORE, your affirmant respectfully request that this Honorable Court grant the instant motion to allow the automatic stay to continue together with any further relief which this court may deem just and proper


Amarjit Kaur Singh

Sworn to me this
30th Day of October 2008


NOTARY PUBLIC

JULIA NUNEZ
Notary Public, State of New York
No. 31-NU4913317
Qualified in New York County
Commission Expires November 23, 2009